

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

WORCESTER, ss.

In re:

WESTBOROUGH SPE LLC,

Debtor.

)
) Chapter 7

) Case No. 23-40709-CJP
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POSITION STATEMENT OF LOLONYON AKOUETE

I, Lolonyon Akouete, a creditor in the bankruptcy case of Westborough SPE LLC ("Debtor"), hereby submit this position statement regarding the joint status report and settlement discussions between the Chapter 7 Trustee ("Trustee") and the Town of Westborough (the "Town").

While recognizing the ongoing settlement discussions between the Trustee and the Town, I must express my grave concerns regarding the proposed settlement as outlined in the joint status report. The proposed settlement seeks to dismiss two significant legal cases—Land Court Case No: 19 TL 000768 and Civil Action Case No: 1:23-cv-12017. Dismissing these cases without resolution is not in the best interest of the Debtor.

Both cases have reached a critical stage where decisions are imminent. Dismissing them and initiating an interpleader action later would only serve to prolong the legal proceedings and potentially harm the interests of the Debtor. It is crucial to note that these cases are ripe for a decision, and any further delay would only exacerbate the situation.

I firmly believe that it is in the best interest of the Debtor and all stakeholders involved to proceed with the pending motions and allow the Court to make a decision on the matters set to be heard on the February 13th hearing. Any attempt to delay or defer these decisions through settlement negotiations undermines the integrity of the bankruptcy process and the rights of creditors.

Therefore, I respectfully urge the Court to prioritize the pending motions and adjudicate them on their merits. Any proposed settlement should be thoroughly evaluated to ensure it truly serves the best interests of the Debtor and all creditors involved.

DATED: February 9, 2024, Respectfully submitted:

By creditor,



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CERTIFICATE OF SERVICE

I, Lolonyon Akouete, a creditor, hereby certify that the above document is served by email and mailing a copy of the same, first-class mail, to the following:

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